

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Joan B. Gottschall	Sitting Judge if Other than Assigned Judge	Jeffrey Cole
CASE NUMBER	07 C 7230	DATE	7/11/2008
CASE TITLE	Blumenthal vs. Anselmo, et al.		

DOCKET ENTRY TEXT

Emergency motion hearing held. Plaintiff's motion for Issuance of a Turnover Order [89] is granted.

■ [For further details see text below.]

Notices mailed by Judicial staff.

00:10

STATEMENT

This matter is before the Court on the Plaintiff's Motion for Issuance of a Turnover Order [89].

On January 31, 2008, plaintiff obtained a default judgment against defendants Matthew H. Anselmo and M & M Marketing, L.L.C. ("debtors") in the amount of \$2.2 million, plus prejudgment interest. Plaintiff served a Third Party Citation to Discover Assets on Foot Locker, Inc. on June 18, 2008. On June 27, 2008, the debtors disclaimed any interest they had in Premier Fighter, L.L.C.'s assets. On July 10, 2008, Foot Locker, Inc, responded that it is holding \$ 269,572.50 in funds belonging to Premier Fighter, L.L.C.. Plaintiff now seeks to collect on his judgment pursuant to Fed. R. Civ. P. 69(a)(1), which provides: "A money judgment is enforced by a writ of execution, unless the court directs otherwise. The procedure on execution — and in proceedings supplementary to and in aid of judgment or execution — must accord with the procedure of the state where the court is located"

Plaintiff has pursuant to 735 ILCS5/2-1402(c)(3), for a turnover order directed to Foot Locker, Inc. for the assets of the Defendants which it is holding pending a court order directing turnover.

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Continued from page 1.

IT IS ORDERED:

1. The Plaintiff's Motion for Issuance of an Turnover Order (89) is granted;
2. Foot Locker, Inc. is ordered to turn over immediately to the Plaintiff the \$269,572.50 belonging to Premier Fighter, L.L.C.. If possible, the transfer of funds may be by wire transfer to an account designated by the Plaintiff. If not the check shall be delivered to Mr. Blumenthal by Monday, July 14, 2008.
3. The Plaintiff shall forthwith serve copies of the Motion for Issuance of a Turnover Order and this Order on Defendants at their last known addresses;
4. The Plaintiff shall timely file proof of service showing compliance with paragraph 3, above, and listing the names and addresses of the parties to whom notice was sent; and
5. The Plaintiff shall electronically file a partial satisfaction of judgment with the exact amount of funds received in partial satisfaction of the judgment.

Courtroom Deputy
Initials:

CDH